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5 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 MARK RICKNER and HEIDI RICKNER,
8
9 Plaintiffs,

10 v.

11 ALLSTATE INSURANCE COMPANY,
12 Defendant.

C19-5857 TSZ

MINUTE ORDER

13 The following Minute Order is made by direction of the Court, the Honorable
14 Thomas S. Zilly, United States District Judge:

15 (1) Plaintiffs' motion to compel discovery, docket no. 70, is GRANTED in part
16 and DENIED in part, as follows:

17 (a) In response to Interrogatory No. 1, defendant shall articulate the
18 reason or reasons why its employee Steven (or Stephen) Richardson was
19 terminated. In response to Request for Production No. 1, defendant shall produce,
20 within thirty (30) days of the date of this Minute Order, **for the period from
December 3, 2016, when plaintiffs' property was damaged by fire, until the
date of Mr. Richardson's termination**, all performance reviews and disciplinary
materials concerning Mr. Richardson, including any performance improvement
plans, oral warnings or reprimands, and/or documents relating to sanctions and/or
termination. Plaintiffs shall maintain the confidentiality of records produced
pursuant to this Paragraph 1(a) and shall not use such records for any purpose
other than this litigation.

21 (b) In response to Requests for Productions Nos. 2 and 3, defendant
22 shall produce, within thirty (30) days of the date of this Minute Order, any contract
23 or document or portion thereof concerning the Good Hands Repair Network
and/or Puget Sound Restoration ("PSR") that contains the terms pursuant to which
PSR was retained to evaluate the amount of plaintiffs' insurance claim.

1 (c) In response to Requests for Production Nos. 4 and 6, defendant shall
2 produce, within thirty (30) days of the date of this Minute Order, all emails to or
3 from Steven (or Stephen) Richardson and all records of phone calls between
4 Mr. Richardson and others concerning plaintiffs' insurance claim, to the extent
5 such emails or phone call records are not contained within the portions of the
6 claims file that have already been provided to plaintiffs, and to the extent such
7 materials are not protected by attorney-client privilege and/or the work-product
8 doctrine. If defendant withholds any responsive documents on the basis of
9 privilege, it shall produce an appropriate log within thirty (30) days of the date of
10 this Minute Order.

11 (d) Except as granted, plaintiffs' motion to compel is DENIED.

12 (2) Defendant Allstate Insurance Company's cross-motion for protective order,
13 docket no. 75, is DENIED in part and GRANTED in part consistent with the rulings set
14 forth in Paragraphs 1(a)-(d), above.

15 (3) The Court DECLINES to award attorneys' fees or costs to either party in
16 connection with these discovery motions.

17 (4) The Clerk is directed to send a copy of this Minute Order to all counsel of
18 record.

19 Dated this 16th day of May, 2021.

20 William M. McCool
21 Clerk

22 s/Gail Glass
23 Deputy Clerk